

**APPROVED 7-16-09**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

Meeting of the Zoning Board of Appeals held on Thursday, June 18, 2009 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

**MEMBERS PRESENT:**

Robert F. Hannon, Chairman  
Theresa Ranciato-Viele, Vice Chairman  
Donald F. Clark, Secretary  
Joseph A. Cappucci,  
Caren M. Genovese, Acting Secretary

**MEMBERS ABSENT:**

Mary Jane Mulligan  
Robert E. Martin  
Cheryl A. Juniewicz

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandi Lion, Clerk

**AGENDA:**

Mr. Hannon, Chairman, called the meeting to order at 7:37 PM. He introduced the members of the Board, the Town staff, the stenographer and clerk. Mr. Hannon explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur. Mr. Hannon stated that application #09-02, 25 Van Rose Drive, is postponed to the July 16, 2009 meeting.

1. #09-02 Application of Marion Carney, Owner and Applicant, relative to 25 Van Rose Drive, (Map 33, Lot 145), per Section 2.1.1.9, requesting a 1.21' side yard variance to allow a 8.79' side yard where 10' is required, and an aggregate side yard variance of 12.97' to permit an aggregate side yard of 12.03' where 25' is required. R-12 Zoning District.

This application was postponed to the July 16, 2009 meeting.

Mrs. Genovese read the call for the public hearing.

Mr. Clark recused from this application.

2. #09-03 Application of Daniel J. Orth, IV, Applicant, Daniel J. Orth, III, Owner, relative to 5 North Hill Road, (Map 39, Lot 20), per Section 2.1.1.9, requesting a 27' front yard variance to permit a 23' front yard setback where 50' is required. R-40 Zoning District.

Mr. Daniel Orth, IV, applicant presented the application for a 18' x 25' single story addition with a 6' x 25' front porch off the right side of the house. They are requesting a 27' front yard variance to permit a 23' front yard setback where 50' is required. The home was built in the 1800's and predates zoning regulations. The Commission asked questions and Mr. Orth, IV responded.

There being no public comment, the public hearing was closed.

#### **DELIBERATION SESSION:**

2. #09-03 Application of Daniel J. Orth, IV, Applicant, Daniel J. Orth, III, Owner, relative to 5 North Hill Road.

Mrs. Ranciato-Viele moved to approve the application; Mr. Cappucci seconded the motion. The Board voted as follows:

Hannon – aye Ranciato-Viele – aye Cappucci – aye Genovese – aye

The Commission stated the following:

1. The variance granted is limited to this proposed single story addition only.
2. The hardship is the location of the septic system in the rear yard.
3. This house, built in the 1800's, predates zoning regulations.

#### **CEASE AND DESIST ORDERS:**

Mr. Alan Fredricksen, Land Use Administrator, advised the Commission of a recent zoning violation.

102 Samoset Avenue, Mr. Dennis Bernardo

-Fence height violation

#### **CORRESPONDENCE:** - Connecticut Federation of Planning and Zoning Agencies

- Quarterly Newsletter, Spring 2009

-CCM Workshops

-2010 Meeting Dates

Mr. Clark moved to approve the 2010 Meeting Dates as proposed; Mrs. Genovese seconded the motion. All were in favor.

**MINUTES:**

March 19, 2009

A quorum could not be met; therefore, the minutes could not be approved.

**OTHER:** None

**ADJOURN:**

There being no further business, Mrs. Genovese moved to adjourn; Mr. Cappucci seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 7:50 PM.